

# UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

020.0336.US.CON

## TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Gust H. Bardy, entitled System And Method For Determining A Reference Baseline Of Patient Information For Automated Remote Patient Care, for a(n):

( ) Original Patent Application.

(X) Continuing Application (prior application not abandoned):

(X) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)

of prior application No: 09/789,416 filed on: 2/20/2001, a continuation of U.S. Patent No. 6,221,011, issued on 4/24/2001.

(X) A statement claiming priority under 35 USC § 120 has been added to the specification.



22895

PATENT TRADEMARK OFFICE

03916 U.S. PTO

10/645980



08/22/03

Enclosed are:

(X) Specification; 50 Total Pages.

(X) Drawing(s); 13 Total Sheets.

(X) Oath or Declaration:

(X) A Newly Executed Combined Declaration and Power of Attorney:

(X) Signed. ( ) Unsigned. ( ) Partially Signed.

( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).

( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

(X) Formal Drawing Transmittal Letter.

(X) Return Receipt Postcard.

( ) Associate Power of Attorney.

(X) A Check Payment of \$ 1,704.00 for the Filing Fee.

( ) Preliminary Amendment.

(X) Information Disclosure Statement and Form PTO-1449.

(X) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.

(X) Application Fee Transmittal.

( ) Applicant claims small entity status.

( ) Other: \_\_\_\_\_

| CLAIMS AS FILED                           |           |           |         |            |
|---|-----------|-----------|---------|------------|
| FOR                                       | NO. FILED | NO. EXTRA | RATE    | FEE        |
| Total Claims                              | 59        | 39        | \$18.00 | \$ 702.00  |
| Independent Claims                        | 6         | 3         | \$84.00 | \$ 252.00  |
| Multiple Dependent Claims (if applicable) |           |           |         | \$0.00     |
| Assignment Recording Fee                  |           |           |         | \$0.00     |
| Basic Filing Fee                          |           |           |         | \$750.00   |
| Total Filing Fee                          |           |           |         | \$1,704.00 |

Charge \$ \_\_\_\_\_ to Deposit Account 501144 pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any fees required or credit any overpayment to this Deposit Account.

Respectfully submitted,

By: \_\_\_\_\_

Patrick J.S. Inouye, Esq., Attorney of Record  
Reg. No. 40297

Date: August 22, 2003

Correspondence Address:

Law Offices of Patrick J.S. Inouye  
810 Third Avenue Suite 258  
Seattle, WA 98104  
Phone: (206) 381-3900  
Fax: (206) 381-3999

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By: \_\_\_\_\_

Typed Name: Larissa V. Pigott

Express Mail Label No.: EV317784402US

Date of Deposit: August 22, 2003

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1,704.00)

## Complete if Known

|                      |                 |
|----------------------|-----------------|
| Application Number   | Unassigned      |
| Filing Date          | August 22, 2003 |
| First Named Inventor | Bardy           |
| Examiner Name        | Unassigned      |
| Art Unit             | Unassigned      |
| Attorney Docket No.  | 020.0336.US.CON |

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account

|                        |                                    |
|------------------------|------------------------------------|
| Deposit Account Number | 501144                             |
| Deposit Account Name   | Law Offices of Patrick J.S. Inouye |

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 750      | 2001         | 375      | Utility filing fee     | 750      |
| 1002         | 330      | 2002         | 165      | Design filing fee      |          |
| 1003         | 520      | 2003         | 260      | Plant filing fee       |          |
| 1004         | 750      | 2004         | 375      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |

SUBTOTAL (1) (\$750)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Large Entity |          | Small Entity |          | Fee Description   | Fee Paid |
|--------------|----------|--------------|----------|---|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |          |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                    |          |
| 1201         | 84       | 2201         | 42       | Independent claims in excess of 3                         |          |
| 1203         | 280      | 2203         | 140      | Multiple dependent claim, if not paid                     |          |
| 1204         | 84       | 2204         | 42       | **Reissue independent claims over original patent         |          |
| 1205         | 18       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2) (\$954.00)

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252         | 410      | 2252         | 205      | Extension for reply within second month                                    |          |
| 1253         | 930      | 2253         | 465      | Extension for reply within third month                                     |          |
| 1254         | 1,450    | 2254         | 725      | Extension for reply within fourth month                                    |          |
| 1255         | 1,970    | 2255         | 985      | Extension for reply within fifth month                                     |          |
| 1401         | 320      | 2401         | 160      | Notice of Appeal   |          |
| 1402         | 320      | 2402         | 160      | Filing a brief in support of an appeal                                     |          |
| 1403         | 280      | 2403         | 140      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453         | 1,300    | 2453         | 650      | Petition to revive - unintentional   |          |
| 1501         | 1,300    | 2501         | 650      | Utility issue fee (or reissue)   |          |
| 1502         | 470      | 2502         | 235      | Design issue fee   |          |
| 1503         | 630      | 2503         | 315      | Plant issue fee  |          |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 750      | 2809         | 375      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810         | 750      | 2810         | 375      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801         | 750      | 2801         | 375      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)


\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

## SUBMITTED BY

Complete (if applicable)

|                   |   |                                   |                 |           |                |
|-------------------|---|-----------------------------------|-----------------|-----------|----------------|
| Name (Print/Type) | Patrick J.S. Inouye, Esq.   | Registration No. (Attorney/Agent) | 40297           | Telephone | (206) 381-3900 |
| Signature         |  | Date                              | August 22, 2003 |           |                |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Mail Stop Patent Application, PO Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bardy

Application No.: Unassigned

Filed: August 22, 2003

Title: System And Method For Determining  
A Reference Baseline Of Patient  
Information For Automated Remote  
Patient Care

Group Art Unit: Unassigned

Examiner: Unassigned

Attorney Docket No.: 020.0336.US.CON

Assistant Commissioner for Patents  
Alexandria, VA 22313-1450

**DRAWING TRANSMITTAL LETTER**

Sir:

Enclosed herewith please find:

- ( ) \_\_\_\_\_ sheets of redlined drawing(s) which indicate proposed changes to the drawing(s). Upon approval of these proposed changes, formal drawing(s) will be submitted.
- ( ) \_\_\_\_\_ sheets of corrected formal drawing(s), as required by the Notice of Patent Drawings Objection (PTO-948) which accompanied the Office Action dated \_\_\_\_\_.
- ( ) \_\_\_\_\_ sheets of corrected formal drawing(s), as required by the Notice of Patent Drawing(s) Objection (PTO-948) and approved in the Notice of Allowability dated \_\_\_\_\_.
- (X) 13 sheets of formal drawings, submitted with the enclosed continuation Utility Patent Application.

Examiner's approval of the entry of these drawings is respectfully requested.

Respectfully Submitted,



22895

PATENT TRADEMARK OFFICE

By

  
Patrick J.S. Inouye, Esq.

Attorney/Agent for Applicant(s)  
Reg. No. 40297

Date: August 22, 2003

Telephone No.: (206) 381-3900